

MINUTES

COUNCIL ON RECYCLING
SEPTEMBER 24, 2003
ALLIANT ENERGY CENTER
KEGONSA ROOM
1919 ALLIANT ENERGY CENTER WAY
MADISON, WISCONSIN

Council Members Present: Jeffrey Fielkow; Susan Hundt-Bergan; John Reindl; William Swift; Charlotte Zieve.

Council Members Absent: None (two vacancies)

Also attending: Cynthia Moore, DNR; John Stolzenberg, Legislative Council; Pat Walsh, SHWEC; David Wood, GRRN

Call To Order: The meeting was called to order by Chair John Reindl at 9:00 AM.

Introduction and Announcements: John Reindl passed around some newspaper articles.

Minutes: The Minutes were amended as follows: Page 3, 3rd paragraph, 3rd sentence, strike "or DATCP". Page 5, under "DNR" 2nd sentence, the sentence should read "1.4 positions for Enforcement are converted from GPR to Recycling Segregated funds in FY '05". Bill Swift moved, Charlotte Zieve 2nd, approval. Minutes were approved as amended.

Reports

Chair: Reindl said that the legislature was in session and was expected to take up legislation on 4 bills affecting solid waste/recycling by the end of their session.

Criteria for choosing priorities in the original recycling law: John Stolzenberg, Legislative Council, said he was staff to the study committee that developed the recycling law. The Legislative Council had been setting up study committees since the 1940's on difficult topics. The committee had legislators and public members and they strove for a balanced committee that would represent all sides. The committee's charge was to look at the adequacy and effectiveness of current state and local solid waste policies including the use of recycling programs, landfills and incinerators. Stolzenberg said that the public was clamoring for action on this issue. There was a national wave of activity during this time. Stolzenberg distributed the original language.

Stolzenberg said that the committee developed legislation that had some materials with absolute bans (e.g. lead acid batteries) while some materials were allowed residuals (e.g. aluminum). He said that everything in the bill was a conscious decision. It may have been political but it was deliberate. The committee made decisions on 4 major criteria: 1) the environmental hazard 2) reducing the total volume of solid waste 3) aggregate monetary value of a material and 4) the public's perception of the need to recycle a specific material. The staff made a matrix of the materials based on those criteria. The committee made decisions based on the criteria and their perception of what was important. He said that obviously things would change if it were done today. Bi-metal cans were a very hot topic then but they are no longer an issue. Electronics was not even mentioned because it was not a problem at that time. Stolzenberg said the criteria are still valid but other factors, such as ease of separation and markets, should be considered. Jeff Fielkow asked how the high perception but low value materials should be dealt with. Stolzenberg said that you might try pilots or incentives or have less ambitious plans. You cannot sustain marketplace losses forever. He said that at the time styrofoam and plastic peanuts were very much in the public eye. The plastics industry made promises of recycling infrastructure that did not come true. The committee represented a variety of points of view and this legislation reflects that variety. Today, the legislature wants to replace the 'one-size-fits-all' operation of the program.

Reindl said that this legislation has been modified often. Dan Fields, DNR, will send members the link to the Legislative Fiscal Bureau web page that has more background.

Updates:

DNR: Cynthia Moore, DNR, said that the DNR contracted for a waste sort. The waste sort was done at 14 municipal landfills that represent 80% of the state generated waste. The waste sort did not include out-of-state waste nor did it include high-volume industrial waste. The results gave the department some solid information to work with. Moore said the results showed that the program was working. She said that it was a mature program and there is a need to re-energize the program. There is a need to reeducate local officials. There is a lot of turnover among the officials. Will be working with SHWEC on outreach programs. The program has decided on 3 areas to focus on. 1) Recycling away from home. People are doing a good job at home but seem to leave their recycling ethic at home when they travel. 2) Business recycling. There has been a drop-off of banned items. For example, office paper has a good market but recycling that material has dropped. 3) Construction and demolition (C&D). C&D is about 30% of MSW. DNR has been working with partners, such as WasteCap and SHWEC on these issues. Food waste is 10% of the total so that is another opportunity. The recycling program has lost a number of positions in the last few years. The program is relying on teams and outside groups to accomplish its goals. The program is pursuing web-based reporting and other efficiencies.

The RU's get \$24.5 million in grant money. That covers about 30% of the RU costs. There is a Demonstration Grant program of \$500,000 /biennium that funds pilot programs. There are also two new programs. The Recycling Efficiency Grants program is a \$1.9 million program designed to reward RU's for consolidation and cooperation. There were 113 applicants the first year. The initial results have been very encouraging. There is also a Pilot program that allows RU's to drop some banned materials and replace it with another material. Only one RU, Kenosha, is in the program. They initially wanted to drop glass from the collection. However, they eventually decided to onmly eliminate glass from the curbside collection and continue collection at their two drop off sites because of public interest in recycling glass. They decided to add clean wood and concrete to replace glass

Moore said there were several other issues she wanted to comment on.

Single stream collection is a topic that has come up. Single stream allows homeowners to put everything in one container and be sorted at the MRF. RU's considering switching to a single stream collection program generally need to have approval from DNR.

Beneficial reuse of some materials; for example: alternative uses for crushed glass.

The department is creating an E-recycler checklist to help companies choose a vendor

The department is working on clarifying requirements for reuse or management of C&D.

The department is a partner in a 4-state effort working to improve container recycling applying principles of product stewardship.

The department signed on to multi-state for carpet recycling and is participating in a DOA effort to include voluntary guidelines for the use of recycled content in contracts.

Green schools program for school recycling

Moore is the leader for the EMS Waste Minimization and would like the Council to work with the department on this goal area.

Tires is an issue that is coming back.

Another issue is waste diversion vs. recycling.

Charlotte Zieve said that electronics recycling is a significant issue in her mind. She wondered where the responsibility should be. Moore said that everyone needed to share responsibility for recycling. Fielkow asked about the amount of non-banned plastics found in the waste sort. He thought that 7% was quite significant. Reindl said that film is a substantial amount of waste. That material has increased dramatically.

Setting Goals:

Reindl said he sent out letters to a variety of groups, 15 in all. There were 3 responses: SHWEC, Northeast Wis. Cooperative Marketing Group and Grass Roots Recycling Network

(GRRN). David Wood, GRRN, said that their primary emphasis was going to be electronics, beverage containers and mercury containing devices. He said those were the best current examples of going beyond recycling and shifting greater financial responsibility to the manufacturers and brand owners. This would create a market incentive for improved environmental design. This would also offset the costs to local governments. It would improve the total recycling from 40/60% to near 80%. The focus will be producer responsibility. Heading toward zero waste by creating more producer responsibility, ending virgin subsidies, and ending landfilling and incineration. They will also be watching thermal depolymerization and similar new technologies.

Reindl shared the legislative agenda of AROW and WCSWMA. WCSWMA priorities are: manufacturer's program for old style propane tanks (that may no longer be an issue), county responsibility for SW and funding for HHW collection programs. Reindl set up a spreadsheet showing the priorities of groups. Reindl said that we should also keep in mind the oil absorbent and electronics issues from the previous Council. He said that legislation on oil absorbents was progressing and there may not be a reason to be particularly active since it may become law soon. Fielkow said that electronics was high demand, low value. He saw the social value but not the economic value of recycling those products. Most of the companies that say it makes economic sense are resellers, not recyclers. The actual cost of demanufacturing may be prohibitive. Computers are being made with less valuable materials. For example, the industry is moving to LCD screens. He is very interested in this issue. Zieve wondered if a front-end fee would be practical. Reindl said the Council recommended that a fee be included in the cost of the product. The question should be whether or not the current Council still supports that concept. Fielkow asked if it was at the manufacturer level or retail level. If at retail then there is an incentive to buy online instead. Zieve said that a back end fee encourages illegal dumping. Fielkow said he is skeptical of the economics.

Reindl suggested that we proceed by setting criteria. Fielkow said he liked the way the Legislative Council document was laid out. There was a discussion on criteria. The members decided use the Legislative Council criteria and add 'availability of markets' and 'ease of recycling'. Reindl suggested that the Council look at the 'ability to make a difference'. Members decided to do grid and make decisions at the next meeting. Moore suggested that the Council look at where you can succeed, your ability to partner with others and to consider product stewardship or other similar approach. Pat Walsh recommended that the Council look at the most important issues and then decide on the approach. Susan Hundt Bergan suggested that we drop those that we are not interested in to shorten the list. 'Recycled content law', 'county responsibility for solid waste' and 'propane tanks' were taken off the list. Members discussed 'use of state recycling fund' as an issue. They decided to leave it on. Fielkow suggested that we keep 'education' on the list. Reindl said that the Council had a committee on the topic. Fielkow suggested that we consider 'commodity pricing management', such as fixed pricing, cooperatives and a futures market as another topic. Moore said that the DNR had some market data on their web site. Hundt-Bergan suggested that the DNR web site have these options listed. Swift said that this type of activity could price small companies out of the market. Reindl said this is done for a lot of commodities. Moore discussed the DNR EMS. She said that the idea was to determine where DNR should place their efforts and where can DNR make the most impact. It was a 1 1/2-year process. The three areas that were chosen were: open burning; minimizing the impact on landfills (divert organics, leachate, air emissions etc.) and waste minimization (diversion of toxics and volumes). She said she will be convening a stakeholder group soon. She would like the Council to be an active partner on this issue. Reindl said the EMS process is part of the ISO process. It is a continuous improvement process. ISO 14000 looks at environmental impact. DNR is the first governmental agency in the US to use ISO to determine how to proceed. Reindl said he will work with DNR and SHWEC to create a draft grid and send it out to members.

Public Comment: None

Other Business:

Swift said he would like to work on the oil filter issue.

The next regular Council meeting is scheduled for Wednesday, November 19, at 9:00 AM at the Schlitz Audubon Nature Center, 1111 E. Brown Deer Rd, Bayside. Fields will check with Randy Case, DNR, to see if he can make it to Milwaukee to discuss mercury and contact WasteCap to talk to the Council. The focus will be on determining priorities.

Adjournment: Swift moved, Zieve seconded. The Council adjourned at 11:30 AM
Respectfully submitted by Daniel B. Fields, Department of Natural Resources.